

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF KENTUCKY UTILITIES)	
COMPANY'S AND LOUISVILLE GAS & ELECTRIC)	
COMPANY'S RESPECTIVE NEED FOR AND)	CASE NO.
COST OF MULTIPHASE LANDFILLS AT THE)	2015-00194
TRIMBLE COUNTY AND GHENT GENERATING)	
STATIONS)	

ORDER

On November 2, 2015, Kentucky Utilities Company and Louisville Gas & Electric Company (jointly, "Companies") filed a joint petition, pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection to the Companies' response to Commission Staff's Post-Hearing Request for Information ("Staff's Post-Hearing Request"), Item 1.a. The Companies request that their response to Staff's Post-Hearing Request, Item 1.a., remain confidential for an indefinite period of time. The Companies' response to Staff's Post-Hearing Request, Item 1.a., is more specifically described as information regarding the dispatch costs of the Companies' generating units.

In support of their joint petition, the Companies state that public disclosure of the designated information would likely result in competitive injury to the Companies, and thus is generally recognized as confidential and exempt from public disclosure pursuant to KRS 61.878(1)(c). The Companies assert that public disclosure of materials contained in their response to Staff's Post-Hearing Request, Item 1.a., would disadvantage the Companies in negotiating future fuel contracts and could

disadvantage the Companies in the wholesale energy market because power production data and costs are components of energy pricing.

Having carefully considered the petition and the materials at issue, the Commission finds that the designated materials contained in the Companies' response to Staff's Post-Hearing Request, Item 1.a., are records that are generally recognized as confidential or proprietary, and which, if openly disclosed, would permit an unfair commercial advantage to competitors, and therefore meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13.

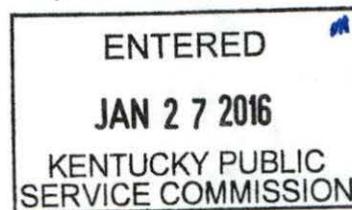
IT IS THEREFORE ORDERED that:

1. The Companies' motion for confidential protection of their response to Staff's Post-Hearing Request, Item 1.a., is granted.
2. The materials set forth in the Companies' response to Staff's Post-Hearing Request, Item 1.a., shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Orders of this Commission.
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. The Companies shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, then the Companies shall have 20 days from receipt of written notice of the request to demonstrate that the materials still

fall within the exclusions from disclosure requirements established in KRS 61.878. If the Companies are unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow the Companies to seek a remedy afforded by law.

By the Commission



ATTEST:

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